

SECOND AMENDED NO.61762
APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office DEC 21 1995
Returned to applicant for correction JAN 09 1996
Corrected application filed _____
Map filed 3-5-96

The applicant **COEUR ROCHESTER, INC.**, hereby makes application for permission to change the point of diversion of water heretofore appropriated under Permit 48783

1. The source of water is **underground**
2. The amount of water to be changed **2.67 cfs**
3. The water to be used for **mining, milling and domestic**
4. The water heretofore permitted for **mining, milling and domestic**
5. The water is to be diverted at the following point in the SW1/4 of the SE1/4 of Sec. 10, T.28N., R.34E., M.D.M., at a point from which the SW corner of said section 10 bears S 74° 14'W a distance of 3464.2 feet.
6. The existing permitted point of diversion is located within The SW1/4 NE1/4 Sec. 10, T.28N., R.34E., M.D.M., at a point from which the SW corner of said section 10 bears S. 51° 04' W. a distance of 4501.7 feet.
7. Proposed place of use within Sections 10, 15, 16, 21, and 22, all within T.28N., R.34E., M.D.M.
8. Existing place of use within Sections 10, 15, 16, 21, and 22, all within T.28N., R.34E., M.D.M.
9. Use will be from January 1st to December 31st of each year.
10. Use was permitted from January 1st to December 31st of each year.
11. Description of proposed works **Drilled and cased well, pipeline, submersible pump, distribution system and storage reservoir.**
12. Estimated cost of works **Two years**
13. Estimated time required to construct works **Five years**
14. Estimated time required to complete the application of water to beneficial use
15. Remarks: **This application is filed to change the point of diversion as existing permit 48783 will be impacted by a leach pad. Waters will be commingled with other permitted rights of the applicant.**

By s/ Kenneth L. Haskew AGENT
P.O. Box 56
Goldfield, NV 89013

Compared jp/gkl cl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 48783 is issued subject to the terms and conditions imposed in said Permit 48783 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 44613, 44614, 44615, 44616, 48785, 48789, 48790, 49612, 49613, 49614, 58449, 58450, and 61762 shall not exceed 628.0 million gallons annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the volume of water pumped under this permit and other permits issued for the project. These records shall be submitted to the State Engineer on a quarterly basis within (15) fifteen days after the end of each calendar quarter.

(CONTINUED ON PAGE 2)

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.67 cubic feet per second, **but not to exceed 628.0 million gallons annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:

October 29, 1998

Proof of completion of work shall be filed before:

November 29, 1998

Application of water to beneficial use shall be filed on or before:

October 29, 1999

Proof of the application of water to beneficial use shall be filed on or before:

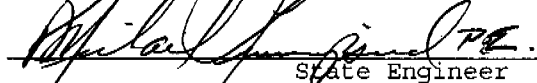
November 29, 1999

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 17th day of October, A.D. 1997


State Engineer

Completion of work filed SEP 30 1997

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____